IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
FRIDAY, THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE
and
THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 34892 of 1997

Between:
T.Suryanarayana S/o.T.Radhakrishna Murthy
W.G.Dist.

..... PETITIONER

AND
1 The State of A.P Rep. by its Secretary Legislative Affairs and Justice Secretariat Buildings Hyderabad
2 The Registrar (Administration) High Court of A.P Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction particularly one in the nature of Writ of Mandamus declaring the proceedings of the 1st respondent in Lr.No.37947/Courts-C1/97-2, dated 11-11-97 rejecting the claim of the petitioner towards reimbursement of medical expenses of Rs.24,483-30 paise on the ground that it is excess the ceiling limit imposed in G.O.Ms.No.38, dated 23-1-1996 is illegal, arbitrary, erroneous against the rules and unconstitutional and consequently direct the 1st respondent to release the amount of Rs.24,483 towards the reimbursement of medical expenses incurred by the petitioner for his heart trouble and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For the Petitioner: MR.Y.V.RAVI PRASAD Advocate

For the Respondent No.1: Govt. Pleader for Home : Advocate.

For the Respondent No.2: MR.C.V.NAGARJUNA REDDY

The Court Made the Following :

ORAL ORDER: (per the Hon'ble The Chief Justice)

Petitioner's claim for reimbursement of medical expenses beyond the ceiling limits is the subject matter of the present Writ Petition. Rejection by the Respondents was on the ground that claim for reimbursement of medical expenses of Rs.24,483-30 was beyond the ceiling limits imposed; by the Government in G.O. Ms No. 38, dated 23.1.1996 and it is stated that in the event of such claims, for assessing medical reimbursement the policy of the Government is to get the approval of the Governor, if necessary, for which purpose, proposal has to be submitted by the High Court. This is the stand taken by the first respondent.

After filing of the counter no effort has been made by the petitioner to seek any direction to the 2nd respondent for making a request to the first respondent to seek approval of the Governor. Since on the basis of the averments made in the petition, direction cannot be issued to the Government for to reimburse any amount which is in excess of ceiling limit, we dispose of the Writ Petition with a direction that in case first respondent would feel it proper that it is a fit case for making reference to the Government, it may do so within a period of two months from the date of receipt of a copy of this Order.

Writ petition stands disposed of. No costs.

DEVINDER GUPTA, C.J.

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G. ROHINI,

J.

25th day of June, 2004

kvsn

To

1 The Secretary, Legislative Affairs and Justice, Secretariat Buildings Hyderabad
2 The Registrar (Administration) High Court of A.P, Hyderabad.
3. Two C D copies.